

Alaska Water Quality Standard Projects
Quarterly Status Report
April 2015

1. Adoption of Antidegradation Implementation Methods (Division and CO priority)

Management Lead: Michelle/Nancy

Staff Lead: Brock/Earl

Activity:

- Public workshop to discuss draft regs/issues scheduled for May 12-13 in ANC

Challenges:

- Ensuring key stakeholders are willing to participate
- Addressing current issues rather than past “process”

Next Steps/Schedule:

- Dependent on CO response

Decision required:

- None at this time
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2. Resolve Issues Delaying EPA Approval of Mixing Zone Guidance by EPA (Division and CO priority):

Management Lead: Sharon

Staff Lead: Brock

Activity: None recently

EPA ESA Consultation

- Per KC: “There is only one aspect of consultation remaining and that is an analysis for the Beluga whale; a request letter does not need to be sent; EPA needs to update the BE and send it to the Services...”
- EPA said that staff turnover at the Services complicates discussions. EPA is working to resolve the issue.

Challenges:

1. Mitigation

- a. Determining how the guidance document(s) will be revised to resolve issues associated with spawning area regulatory language associated with mitigation (internal as well as EPA issue).
- b. Getting timely EPA review of all draft documents.

2. Concurrent Flow

- a. Settling on acceptable language that is not too cumbersome
- b. Getting EPA to agree to DEC-proposed language in a timely manner and whether they meet the needs of both agencies
- c. Getting EPA to comment in a timely manner

3. ESA Consultation

- a. EPA completing ESA consultation process concurrent to review of revisions of MZ regulations/guidance.

Next Steps/Schedule:

- Re-engage with CO

Decision required?

- Approval to submit revised Mixing Zone Guidance and Concurrent Flow guidelines to EPA
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3. Monitor and Assist EPA Review of Residues Criteria (Division and CO priority)

Lead: Sharon

Staff: Brock

Activity:

- Per TR: Received a comment from seafood processors that this issue needs to be decided upon
- Nancy raised issue with Angela C. (EPA) that comment on residues approval status was received from public during Triennial Review public notice period.

Challenges:

- External to DEC.

Next Steps/Schedule:

- Wait for EPA will assign staff to this review-EPA is currently evaluating their own workload.

Decision required? None at this time

4. Evaluate options for revisions to Human Health Criteria (HHC): (Division and CO priority)

Lead: Sharon

Staff: Brock

Activity:

- Consolidating comments from Peer Review Panel and drafting Response Summary
- Developed HHC Technical Workgroup proposal for Commissioner's Office consideration

- HHC Workshop to be held in the 10/21-22 (tentative)

Challenges:

- Ensuring CO concerns are adequately addressed at each stage of the process
- Ensuring transparency in the process

Next Steps/Schedule

- Cont. work with HHC Peer Review Panel to coordinate submission of comments
 - Draft comment summary
 - Review sources of FCR info recommended by Panel
- Continue to monitor other state efforts including litigation to force EPA to promulgate HHC criteria for Washington (ongoing) and Idaho
 - Review public comments on Washington HHC proposal
- Develop technical workgroup proposal for Commissioner's Office

Decision Needed:

- Ongoing...
 - Who should be involved in HHC project (DEC/ADF&G/DHSS)
 - What will this effort look like?
 - Technical and policy questions to consider
 - Potential products
 - Roles and responsibilities
 - Schedule

5. Chuit River Basin Site Specific Criteria

Lead: Sharon/Nancy/Wade

Staff: Brock/Renee

Activity:

- Working on Comment-Response Summary
 - Completing final edits on Appendix A (Representativeness)

Challenges:

- Coordinating numerous internal and external participants in process: DEC mining permits, WQS staff, DEC management, EPA, other state agencies, and PacRim Coal, Tetra Tech (PacRim's consultant)

Next Steps/Schedule:

- Complete comment response by 4/10 for internal review

Decision required?

None

6. Girdwood/Glacier Creek Site Specific Criteria

Lead: Brock/Nancy/Wade
Staff: Denise Elston/Mike Martz

Activity:

- Discussed project with EPA
 - Awaiting comments from B. Beckwith per K.Collins

Challenges:

- Dependent on EPA comments

Next Steps:

- Work with AWWU regarding issues with WER and downstream protection (high flow conditions)
- Await feedback from EPA regarding proposal
- Complete draft Director's/CO briefing on project
 - Include Gov. Office briefing document
 - Inc. draft timeline
 - AG office file request-completed 11/19
- Draft DEC Decision Document based on AWWU findings

Schedule:

- TBD

Decision required?

None

7. Update to Standard Analytical Methods

Lead: Earl Crapps/Nancy Sonafrank
Staff Doug Kolwaite/Brock Tabor

Activity:

- Public comment closed on March 10. Only EPA sent comments.
 - DEC working to revise language to address EPA concerns

Challenges:

- None

Next Steps/Schedule:

- Denise to complete language revision and share internally for review prior to EPA submission

Decision Required

None

9. 2015-2017 Triennial Review

Lead: Michelle
Staff: Brock

Activity:

- Comment period is closed- received ~20 sets.

Challenges:

- Reconciling comments in a timely manner

Next Steps/Schedule:

- Draft a comment summary

Decision Required?

Determine whether comment summary will be shared with the public and if so, in what format? .

10. Nutrients

Lead: Brock
Staff: Denise Elston

Activity:

- Staff monitoring activity in Region 10

Challenges: Alaska has an EPA approved nutrient criteria for the Cook Inlet Eco-region only.

Next Steps:

- Continue to monitor efforts in the Northwest

Schedule: TBD

Decision Required? None

11. Other

2012 RWQC: (Denise/Brock)

- Denise is lead. Looking at bacteria updates for all uses-see where there's opportunity to combine efforts with RWQC package (Harvest values/SAM package)
- Provided APDES program (wastewater permitting) with information regarding proposed criteria (fresh & marine) for feedback regarding implementation issues
- Submitted schedule to EPA committing to adoption of RWQC by September 2016.

Soldotna Site Specific Criteria: Still in scoping stage. Staff provided information on process, downstream protection, and timing of a proposal

Usibelli Reclassification: Received a call from Usibelli staff stating that a proposal was pending. Brock suggested that a downstream protection analysis was completed before submitting the proposal.

BLM Meeting: Brock will go to WA (5/12-13) to attend a Region 10 meeting on application of the Biotic Ligand Model in state water quality standards. Will work with Maia on conference organization in exchange for travel financial assistance.